

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

LARRY ARNOLD YOUNG,

Plaintiff,

v.

CIVIL ACTION NO. 1:17-03633

T.A. LACY,

Defendant.

LARRY ARNOLD YOUNG,

Plaintiff,

v.

CIVIL ACTION NO. 1:19-00186

T.A. LACY, and
STEVEN A. SOMMERS,

Defendants.

MEMORANDUM OPINION AND ORDER

Pending before the court is plaintiff's motion to amend and supplement his Complaint in Case No. 1:19-cv-00186. (ECF No. 129.) On July 24, 2020, this court entered a Memorandum Opinion and Order dismissing with prejudice plaintiff's Complaint in Case No. 1:19-cv-00186. (ECF No. 138.) The court has reviewed plaintiff's motion and what he intends to amend and supplement, and finds it to relate only to claims which have been dismissed with prejudice. Allowing such amendment would be futile. Plaintiff's motion, (ECF No. 129), is therefore **DENIED**. See, e.g., Blanchard v. JP Morgan Chase Bank, 2012 WL 5198468, at *5

(D. Nev. Oct. 18, 2012) (finding amendment futile because "[t]he court has already dismissed with prejudice [the claims] plaintiff seeks to re-allege"); In re Ford Motor Co. Speed Control Deactivation Switch Prod. Liab. Litig., No. 05-74531, 2008 WL 11366286, at *2 (E.D. Mich. Mar. 24, 2008) ("The Court will not permit amendment to revive claims already dismissed with prejudice.").

The Clerk is directed to send a copy of this Memorandum Opinion and Order to counsel of record and unrepresented parties.

IT IS SO ORDERED this 17th day of August, 2020.

ENTER:

A handwritten signature in black ink, reading "David A. Faber", is written over a horizontal line.

David A. Faber
Senior United States District Judge